

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**LEO L. DURAN,**

**Plaintiff,**

**v.**

**No. 09-cv-0758 BB/SMV**

**CURRY CNTY. ADULT DET. CTR.,  
PRESBYTERIAN HOSP.,  
FNU BEAN, LESLIE DONALDSON,  
JANICE DAVIS, TAMARA CURTIS,  
FNU KAMERMAN, TERI LESLIE, and  
BD. OF CNTY. COMM'RS OF CURRY CNTY.,**

**Defendants.**

**ORDER GRANTING PLAINTIFF'S MOTION TO EXCEED PAGE LIMITS AND  
DENYING PLAINTIFF'S MOTION TO COMPEL**

THIS MATTER is before the Court on Plaintiff's Motion to Compel Discovery [Doc. 164] and on his Motion for Leave to Exceed Page Limits [Doc. 165]. First, Plaintiff seeks leave to submit 47 pages beyond the 50-page exhibit limit in support of his Motion to Compel. [Doc. 165] at 1–2. Second, Plaintiff moves the Court to compel certain discovery from Defendant Donaldson. [Doc. 164].

A party served with objections to discovery must file a motion to compel within 21 days after service of the objections, and failure to do so constitutes acceptance of the objections. D.N.M.LR-Civ. 26.6. Defendant Donaldson served his Responses to Plaintiff's Second Set of Interrogatories and Requests for Production of documents on September 12, 2011, Certificate of Service . . . [Doc. 104], and his Responses to Plaintiff's Request for Admissions on March 20, 2012, Certificate of Service [Doc. 148]. Plaintiff filed his Motion to Compel on June 28, 2012,

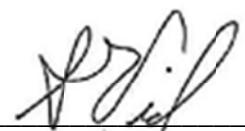
[Doc. 164], well past the 21-day time period allowed by the Local Rules. The Court finds, therefore, that the motion is not well-taken and should be denied.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that Motion for Leave to Exceed Page Limits [Doc. 165] is hereby **GRANTED**.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Plaintiff's Motion to Compel [Doc. 164] is hereby **DENIED**.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Plaintiff's request for sanctions, [Doc. 164] at 2, is **DENIED** as well.

**IT IS SO ORDERED.**



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STEPHAN M. VIDMAR  
United States Magistrate Judge